

PROCLAMATION

BY THE

Governor of the State of Texas

41-2252

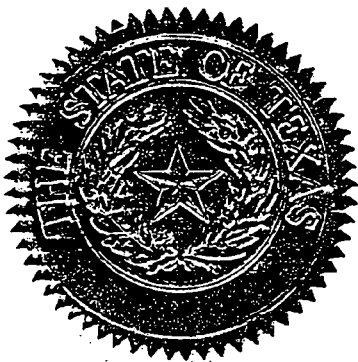
TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14 of the Texas Constitution, I, William P. Clements, Jr., Governor of Texas, do hereby veto H.B. 1239 because of the following objections:

This bill would prohibit the Texas Air Control Board, the Texas Water Commission and the Texas Department of Health from issuing for a period of three years a permit to a facility owner or operator who in disregard of a law has constructed or operated a facility at a new site without the necessary permits. Under current law these agencies can take the prior actions of a prospective permittee into account in making decisions whether to issue new permits. There is no evidence that the agencies have not exercised this authority judiciously and in a manner that protects the interests of the public. This bill would eliminate the agencies' discretion in decision-making, which is neither appropriate nor desirable.

The Secretary of State shall take notice of this action and notify the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State to be affixed hereto at Austin, this 17 day of June, 1989.



W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

Filed in the Office of
Secretary of State

JUN 18 1989
Statutory Filings Division
Statutory Documents

Jack M. Rains
Jack M. Rains
Secretary of State